

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

TOWN OF OYSTER BAY,

Plaintiff,

v.

NORTHROP GRUMMAN SYSTEMS
CORPORATION,

Defendant.

Civil Action No. 2:23-cv-07146-NJC-AYS

**JOINT SUBMISSION REGARDING RECENT CORRESPONDENCE RELEVANT TO
THE TOWN OF OYSTER BAY’S MOTION FOR PRELIMINARY INJUNCTION**

Counsel for Plaintiff Town of Oyster Bay (the “Town”) and Defendant Northrop Grumman Systems Corporation (“Northrop Grumman”) conducted a reasonable investigation and jointly submit this response to the Court’s January 14, 2025 Order requesting the parties file more recent correspondence relevant to the issues raised in the Town’s Preliminary Injunction (ECF No. 40).

1. Attached as **Exhibit 1** is a true and correct copy of an email dated November 29, 2024 from Jason Pelton, Director of Remedial Bureau D at the New York State Department of Environmental Conservation (“DEC”), addressed to Sarah Johnston, Assistant Geologist in the Department of Remediation at the DEC, Jess LaClair, Environmental Engineer in the Department of Remediation at the DEC, and Edward Hannon, Manager of Environmental Health and Safety and Medical for Northrop Grumman, and Project Manager for Northrop Grumman’s remedial activities related to what is historically known as the Grumman Aerospace – Bethpage Facility Site.

2. Attached as **Exhibit 2** is a true and correct copy of an email dated December 13, 2024, from Joel Balmat, Principal Consultant at Verdantas, to Sarah Johnston at the DEC.

3. Attached as **Exhibit 3** is a true and correct copy of an email dated December 17, 2024 from Sarah Johnston to Rich Poff, Senior Scientist at Verdantas.

4. Attached as **Exhibit 4** is a true and correct copy of an email dated December 18, 2024, from Richard Lenz, Commissioner at the Town's Department of Public Works to David Shea, Environmental Engineer and Senior Vice President at Sanborn, Head, & Associates, Inc., and Phillip R. Sachs, P.E., Vice President, Water Supply at D&B Engineers and Architects.

5. Attached as **Exhibit 5** is a true and correct copy of an email dated December 23, 2024 from Richard Lenz to Gregory Carman, Deputy Town Supervisor for the Town of Oyster Bay, David Shea, and Phillip Sachs.

6. Attached as **Exhibit 6** is a true and correct copy of an email dated December 24, 2024, from Jess LaClair to Edward Hannon and Sarah Johnston.

7. Attached as **Exhibit 7** is a true and correct copy of an email dated December 31, 2024, from Jess LaClair to Edward Hannon.

8. Attached as **Exhibit 8** is a true and correct copy of an email dated January 8, 2025, from Sarah Johnston to Edward Hannon.

9. Attached as **Exhibit 9** is a true and correct copy of an email dated January 10, 2025 from Richard Lenz to Gregory Carman.

10. Attached as **Exhibit 10** is a true and correct copy of an email dated January 10, 2025 from Sarah Johnston to Edward Hannon, Jason Pelton, and Jess LaClair.

Dated: January 15, 2025

/s/ J. Michael Showalter

Matthew F. Prewitt
J. Michael Showalter
Sonul Rao
ARENTFOX SCHIFF LLP
1301 Avenue of the Americas, 42nd Floor
New York, NY 10019
Phone: 312-258-5500
Fax: 212.484.3900
matthew.prewitt@afslaw.com
j.michael.showalter@afslaw.com
sonul.rao@afslaw.com

Russel Selman (*pro hac vice*)
ARENTFOX SCHIFF LLP
233 S. Wacker Drive, Suite 7100
Chicago, IL 60606
Phone: 312.258.5500
russell.selman@afs.com

Attorneys for Plaintiff
Town of Oyster Bay, New York

/s/ Grant Esposito

Grant J. Esposito
Robert J. Baehr
Claire N. Abrahamson
Proskauer Rose LLP
Eleven Times Square
New York, New York 10036
(212)969-3010
gesposito@proskauer.com
rbaehr@proskauer.com
cabrahamson@proskauer.com

and

Mark A. Chertok
Amy Cassidy
Daniel Goldberg-Gradess
SIVE, PAGET & RIESEL, P.C.
560 Lexington Avenue, 15th Floor
New York, New York 10022
(212) 421-2150
mchertok@sprlaw.com
acassidy@sprlaw.com
dgoldberg-gradess@sprlaw.com

Attorneys for Defendant
Northrop Grumman Systems Corporation